

07-08-2003

Sheet 1 of 1

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| Form PTO-1449 | U.S. Department of Commerce Patent and Trademark Office | ATTY. DOCKET NO. P30835DIV2C4 | PREDECESSOR SERIAL NO. 10/044,848 10/615322 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i> | | APPLICANTS Pathak et al. | |
| | | PREDECESSOR FILING DATE January 11, 2002 | PREDECESSOR GROUP 1615 |

U.S. PATENT DOCUMENTS

| Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date If Appropriate |
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| [Signature] | AA | 4,009,196 | 1977 | Kurozumi et al. | | | |
| | AB | 4,902,801 | 1990 | Faruk et al. | | | |
| | AC | 4,861,893 | 1989 | Barrett | | | |
| | AD | 5,039,803 | 1991 | Smith et al. | | | |
| | AE | 4,721,723 | 1988 | Barnes et al. | | | |
| | AF | 5,776,969 | 1998 | James | | | |
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| | | Document Number | Date | Country | Class | Subclass | Translation | |
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| | | | | | | | Yes | No |
| [Signature] | BA | WO 92/09281 | 1992 | WIPO | | | | |
| | BB | EP A 0269 303 | 1988 | EPO | | | | |
| | BC | EP A 223 403 | 1987 | EPO | | | | |
| | BD | EP A 0 188 081 | 1986 | EPO | | | | |
| | BE | WO 93/22284 | 1993 | WIPO | | | | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| CA | FDA FOIA Materials, June 1993 |
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| EXAMINER | DATE CONSIDERED |
| [Signature] | 1-17-2006 |

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| Examiner Initial | | Document Number | Date | Name | Class | Subclass | Filing Date if Appropriate |
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| <i>PA</i> | AG | 6,113,944 | 09/2000 | Pathak, et al. | | | |
| | AH | 4,007,196 | 02/1977 | Christensen, et al. | | | |
| | AI | 4,745,122 | 05/1988 | Lassen, et al. | | | |
| | AJ | 5,047,246 | 09/1991 | Gallian, et al. | | | |
| | AK | 4,804,669 | 02/1989 | Lassen, et al. | | | |
| | AL | 5,071,854 | 12/1991 | Tyers, et al. | | | |
| <i>PA</i> | AM | 5,229,407 | 07/1993 | Coates, et al. | | | |
| | AN | 6,077,535 | 06/2000 | Tiongson, et al. | | | |
| | AO | 5,340,810 | 08/1994 | Clitherow, et al. | | | |

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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| <i>TR</i> | <i>PA</i> | CFFF | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Order Dated December 2, 2002. |
| | <i>PA</i> | CFFG | Remington's Pharmaceutical Sciences, 18 th Edition, Mack Publishing Company (1990) pp. 1633-1658. |
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| | DATE CONSIDERED 1-17-2006 | | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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|--------------------|---|
| CB | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Complaint dated November 2000 |
| CC | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Defendant's Answer to Plaintiffs' Complaint dated November 2000 |
| CD | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Defendant Synthon BV's Answer to Plaintiffs' Complaint dated December 2000 |
| CE | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Plaintiffs' Reply to Defendant's Counterclaims dated December 2000 |
| CF | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Plaintiffs' Reply to Defendant's Counterclaims dated December 2000 |
| CG | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Plaintiffs' Amended Reply to Defendant's Counterclaims dated December 2000 |
| CH | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Defendant's Responses to Plaintiffs' First Set of Requests for Admissions (Nos. 1-7) dated April 2001 |
| CI | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Defendant's Response to Plaintiffs' First Set of Interrogatories (Nos. 1-8) dated April 2001 |
| CJ | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina - Joint Stipulated Protective Order Pursuant to Rule 26(c) dated May 2001 |
| EXAMINER | DATE CONSIDERED |
| <i>[Signature]</i> | 1-18-2006 |

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| CK | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina – Defendant Synthon Pharmaceuticals Ltd.'s Motion and Supporting Memorandum for Leave to File an Amended Answer to Plaintiffs' Complaint and Counterclaims dated August 2001 |
| CL | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina – Plaintiffs' Response to Defendant's Motion for Leave to File an Amended Answer to Plaintiffs' Complaint and Counterclaims dated August 2001 |
| CM | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina – Plaintiffs' Reply to Amended Affirmative Defenses and Counterclaims Set Forth in "Defendant Synthon Pharmaceuticals, Ltd.'s Amended Answer to Plaintiffs' Complaint and Counterclaims" dated October 2001 |
| CN | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina – Defendants' Responses to Plaintiffs' Second Set of Requests for Admissions (Nos. 8-14) dated August 2001 |
| CO | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina – Order Granted September 2001 |
| CP | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina – Defendants' Amended Responses to Plaintiffs' Second Set of Requests for Admissions (Nos. 8-14) dated August 2001 |
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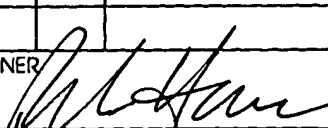
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| 716P | CQ | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina – Defendants' Responses to Plaintiffs' Second Set of Interrogatories (Nos. 9-16) dated August 2001 |
| | CR | Civil Action No. 100CV01179, U.S. District Court for Middle District of North Carolina – Defendants' Amended Responses to Plaintiffs' Second Set of Interrogatories (Nos. 9-16) dated September 2001 |
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| CS | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Torpharm's Motion for Summary Judgment of Invalidity of Claims 1 and 2 of U.S. Patent No. 6,113,944 |
| CT | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Torpharm's Memorandum of Law In Support of Its Motion for Summary Judgment of Invalidity of Claims 1 and 2 of U.S. Patent 6,113,944 |
| CU | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibits to Torpharm's Memorandum of Law In Support of Its Motion for Summary Judgment of Invalidity of Claims 1 and 2 of U.S. Patent No. 6,113,944 - INDEX |
| CV | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 1 – U.S. Patent 6,113,944 |
| CW | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 2 – Complaint dated 8/26/99 in Civil Action 99-4304 |
| CX | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 3 – Complaint dated 9/27/00 in Civil Action 00-4888 |
| EXAMINER | DATE CONSIDERED |
| <i>[Signature]</i> | 1-19-2006 |

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| CY | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 4 – Complaint dated 5/2/01 in Civil Action 01-2169 |
| CZ | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 5 – U.S. Patent 4,007,196 |
| CAA | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 6 – U.S. Patent 4,721,723 |
| CBB | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 7 – Paroxetine Tablets – Ex Ferrosan Report (SB02001-007710 DX618), dated 4/3/80 |
| CCC | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 8 – Paroxetine Strategy Meeting Minutes (SB02001-412721-412730 DX622), dated 9/9/80 |
| CDD | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 9 – Paroxetine Development Meeting Minutes (SB06001-002857-002865, 002867-002872 DX623), dated 10/8/80 |
| EXAMINER | DATE CONSIDERED 1-18-2006 |

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| CEE | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 10 – The Synthesis of Paroxetine Hydrochloride Report (SB02001-086316-086341 DX66), dated January 14, 1981 |
| CFF | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 11 – U.S. Patent 4,745,122 |
| CGG | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 12 - SmithKline's Response to Torpharm's Local Rule 56.1(a)(3) Statement of Material Facts dated January 9, 2001 |
| CHH | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 13 – File History For Serial No. 08/676,331 |
| CII | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 14 – U.S. Patent 5,047,246 |
| CJJ | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 15 – Transcript of Ram D. Pathak dated September 26, 2001 |
| EXAMINER | DATE CONSIDERED |
| <i>[Signature]</i> | 1-18-2004 |

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| CKK | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 16 – <u>Pharmaceutical Dosage Forms: Tablets</u> , Vol. 1, pages 64 and 148 (1980) |
| CLL | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 17 – International Application WO 92/09281 |
| CMM | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 18 – U.S. Patent 6,113,944 Prosecution History |
| CNN | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 19 - U.S. Patent 6,113,944 Certificate of Correction dated September 6, 2000 |
| COO | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 20 – Decision in Canadian Litigation, Smith Kline v. Apotex, dated July 6, 2001 |
| CPP | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 21 – U.S. Patent 4,804,669 |
| EXAMINER | DATE CONSIDERED |
| <i>1-18-2006</i> | |

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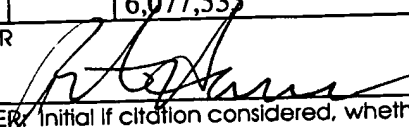
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| | CQQ | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 22 – Paxil® Package Insert, Physicians' Desk Reference, 48th Edition, pages 2267 – 2270 (1994) |
| | CRR | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 23 – U.S. Patent 5,340,810 |
| | CSS | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 24 – <u>The Theory and Practice of Industrial Pharmacy</u> , pages 305, 318, 319 and 320 |
| | CTT | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 25 – U.S. Patent 5,071,854 |
| | CUU | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 26 – U.S. Patent 5,229,407 |
| | CVV | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 27 – U.S. Patent 6,077,535 |
| EXAMINER | | DATE CONSIDERED |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| CWW | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania - Order |
| CXX | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania - SmithKline Beecham Corporation and SmithKline Beecham plc's Memorandum In Opposition to Torpharm's Motion for Summary Judgment of Invalidity of Claims 1 and 2 of U.S. Patent 6,113,944 |
| CYY | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania - SmithKline Beecham Corporation and SmithKline Beecham plc's Memorandum In Opposition to Torpharm's Motion for Summary Judgment of Invalidity of Claims 1 and 2 of U.S. Patent 6,113,944 - INDEX |
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| <i>[Signature]</i> | 1-18-2002 |

EXAMINER Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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| Form PTO-1449 | U.S. Department of Commerce Patent and Trademark Office | ATTY. DOCKET NO. P30835DIV2C4 | PREDECESSOR SERIAL NO. 10/044,848 101615322 |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use several sheets if necessary)</i> | | APPLICANT Pathak et al. | |
| | | PREDECESSOR FILING DATE January 11, 2002 | GROUP |

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| CZZ | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 1 – Affidavit of Richard Killworth, and Exhibits A-B Attached Thereto (Exhibit A – Richard Killworth's Curriculum Vitae; Exhibit B – Manual of Patent Examining Procedures, pages 700-19 to 700-21; 1800-82 to 1800-83; 1800-145; 2100-68 to 2100-112; and 2100-194) |
| CAAA | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 2 – Affidavit of Dr. Christopher T. Rhodes and Exhibits A-I Attached Thereto (Exhibit A – Christopher Rhodes' Curriculum Vitae; Exhibit B – <u>Drug Stability Principles and Practices</u> , Vol. 107, page 6 and page 113; Exhibit C – <u>Pharmaceutics of Solids and Solid Dosage Forms</u> , pages 147, 148, 149 and 161; Exhibit D – <u>Pharmaceutical Dosage Forms</u> , Volume I, pages 195-199; Exhibit E – <u>Canadian Journal of Pharmaceutical Sciences</u> , Vol. 8, No. 1, pages 1-5 (1973); Exhibit F – <u>Modern Pharmaceutics</u> , Second Edition, page 372; Exhibit G – European Patent Application 0 188 081; Exhibit H – European Patent Application 0 269 303; Exhibit I – <u>Pharmaceutical Development and Technology</u> , 7(1), pages 1-32 (2002)) |
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| 769 | CBBB | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 3 – Affidavit of Dr. Robin Roman and Exhibits A-D Attached Thereto (Exhibit A – Robin Roman's Curriculum Vitae; Exhibit B – SmithKline Beecham Pharmaceuticals Department Report No. 93GBPT03_1; Exhibit C – Memo to D. J. White from D. G. Doughty regarding Paroxetine Pink Tablets, dated January 18, 1993; Exhibit D – Memo to D. Monkhouse from R. Roman regarding Paroxetine 20 mg Tablets Batch G91027, dated November 19, 1991) |
| | CCCC | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 4 – Affidavit of James Mills and Exhibit Attached Thereto (Notice of Allegation to SmithKline Beecham Pharma from Apotex, Inc. dated March 1, 1999) |
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| EXAMINER | CDDD | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 5 – Affidavit of Sanya Sukduang and Exhibits A-G Attached Thereto (Exhibit A – In Civil Action No. 1:00 CV 01179 a Joint Stipulated Protective Order Pursuant to Rule 26c, dated May 18, 2001; Exhibit B – Letter from Kenneth Curtis to Mark Waddell re: SB et al. v. Synthon Pharmaceuticals Ltd, et al., dated March 15, 2002; Exhibit C – In U.S. District Court in the Southern District of New York – Subpoena in a Civil Case dated 3/13/02; Exhibit D – Letter to Kenneth Curtis from Mark Waddell re: SB et al v. Synthon Pharmaceuticals Ltd, et al., dated March 25, 2002; Exhibit E – In U.S. District Court in the Southern District of New York – Chadbourne and Parke LLP's Objections to Subpoena, dated March 25, 2002; Exhibit F – Letter from Kenneth Curtis to Mark Waddell re: SB et al. v. Apotex Corporation et al., dated March 29, 2002; Exhibit G – In U.S. District Court for the Middle District of North Carolina – Plaintiffs' Motion to Amend Joint Stipulated Protective Order Pursuant to Rule 26(c), dated April 5, 2002) | DATE CONSIDERED 1-18-2006 |
| | CEEE | Consolidated Civil Action Nos. 99-CV-4303, 00-CV-4888, 01-CV-159 and 01-CV-2169 in the U.S. District Court for Eastern District of Pennsylvania – Exhibit 6 – Copy of the Northern District of Illinois Memorandum and Order Dated January 14, 2002, in SmithKline Beecham Corporations v. Pentech Pharmaceuticals, Inc. Civil Action No. 00C2853 | |

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